

LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JOHN V. BIANCO
JANE E. REMILLARD
FAUSTINO A. LICHAUCO
DAVID A. LANE, JR.
LINDA M. CHINN
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
NICHOLAS P. TRIANO, III

TIMOTHY J. DOUGLAS
WILLIAM D. DeVAUL

SENIOR COUNSEL
W. HUGO LIEPMANN
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
LAWRENCE E. MONKS
WILLIAM A. SCOFIELD, JR.
PETER C. LAURO*
JOHN L. WELCH
DeANN FORAN SMITH**

* Admitted in NY only
** Admitted in MI only

PATENT AGENTS
CATHERINE J. KARA, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
REZA MOLLAAGHABABA, Ph.D.

TECHNICAL SPECIALISTS
MARIA C. LACCOTRIPE, Ph.D.
MONICA PALACIOS-BOYCE, Ph.D.
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
JENNIFER L. ELLIOTT, Ph.D.
LAUREN C. FOSTER, D.Sc.

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/281,674
Entitled: *Methods For Regulating Gene Expression*
Inventor(s): Hermann Bujard, Manfred Gossen,
Jochen G. Salfeld, Jeffrey W. Voss
Filing Date: March 30, 1999
Our Reference: BBI-013C3CN2 BBC Reference: BBC-003

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Application;
2. Two Executed Declarations, Petitions and Powers of Attorney;
3. Copy of Form PTO-1533;

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

Date 6/11/99

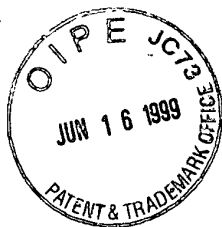
[Signature]
Elizabeth A. Hanley, Reg. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD

[Signature]
Elizabeth A. Hanley
Reg. No. 33,505

Enclosures



Attorney Docket No.: BBI-013C3CN2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hermann Bujard, Manfred Gossen, Jochen G. Salfeld and Jeffrey W. Voss

Serial No.: 09/281,674

Filing Date: March 30, 1999

Title: METHODS FOR REGULATING GENE EXPRESSION

BOX MISSING PART

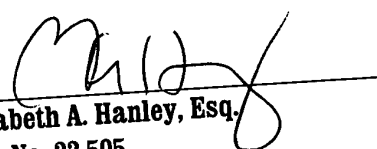
Assistant Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Part, Washington, D.C. 20231 on the date set forth below.

6/11/99
Date of Signature and of Mail Deposit

By:


Elizabeth A. Hanley, Esq.
Reg. No. 33,505
Attorney for Applicants

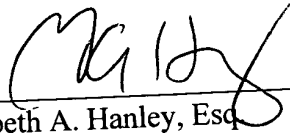
RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated April 27, 1999, Applicants' attorney respectfully submits that the Notice to File Missing Part was issued in error. At the time of filing the above-referenced application, Applicants submitted two executed Declarations, Petitions and Powers of Attorney for Patent Application for the above-identified patent application, copies of which are submitted herewith. A copy of Form PTO-1533 is also enclosed.

It is believed that this Notice to File Missing Parts of Application was issued in error. It is respectfully requested that this requirement be withdrawn. However, in the event that this is not the case, any necessary fees can be charged to Deposit Account No. 12-0080.

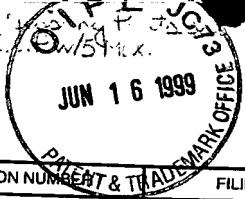
Respectfully submitted,


Elizabeth A. Hanley, Esq.
Registration No. 33,505
Attorney for Applicants

LAHIVE & COCKFIELD
28 State Street
Boston, MA 02109-1784
Tel. (617) 227-7400

Dated: _____

6/11/99



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER & TRADEMARK	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/281,674	03/30/99	BUJARD	H BBI-013C3CN2

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON MA 02109

0242/0427

NOT ASSIGNED

1643

DATE MAILED:

04/27/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.
Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:
\$ _____ for _____ total claims over 20.
\$ _____ for _____ independent claims over 3.
\$ _____ for multiple dependent claim surcharge.
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☒ is missing or unsigned.
☐ does not cover the newly submitted items.
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
☐ 8. The application was filed in a language other than English.
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply

Customer Service Center
Initial Patent Examination Division (703) 308-1202

07/20/1999 DBUTLER 00000020 120080 09281674 130.00 CH